

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

IRREGULAR IP, LLC,

Plaintiff,

v.

PATAGONIA, INC.,

Defendant.

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

CIVIL NO. A-23-CV-00333-ADA

**ORDER ADOPTING MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Before the Court is the Report and Recommendation of United States Magistrate Judge Dustin M. Howell. ECF No. 19. The report recommends Defendant's Motion to Dismiss (ECF No. 13) be **GRANTED**. The report and recommendation was filed on December 19, 2023.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A district court need not consider "[f]rivolous, conclusive, or general objections." *Battle v. U.S. Parole Comm'n*, 834 F.2d 419, 421 (5th Cir. 1987) (quoting *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), *overruled on other grounds by Douglass v. United States Auto. Ass'n*, 79 F.3d 1415 (5th Cir. 1996)).


Plaintiff filed objections on January 4, 2024. ECF No. 20. The Court has conducted a *de novo* review of the motion to dismiss, the responses, the report and recommendation, the objection to the report and recommendation, and the applicable laws. After that thorough review, the Court is persuaded that the Magistrate Judge's findings and recommendation should be adopted.

**IT IS THEREFORE ORDERED** that the Report and Recommendation of United States Magistrate Judge Howell, ECF No. 19, is **ADOPTED**.

**IT IS FURTHER ORDERED** that Plaintiff's objections are **OVERRULED**.

**IT IS FINALLY ORDERED** that Defendant's Motion to Dismiss (ECF No. 13) is **GRANTED** in accordance with the Report and Recommendation.

SIGNED this 8th day of January, 2024.



---

**ALAN D ALBRIGHT**  
**UNITED STATES DISTRICT JUDGE**